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Master File No.: 2:09-CV-2039-IPJ

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MASTER SHORT FORM COMPLAINT FOR INDIVIDUAL CLAIMS

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FOR INDIVIDUALS CLAIMS

2. In addition to the below-indicated portions of the Master Consolidated Complaint adopted by the plaintiff and incorporated by reference herein, Plaintiff hereby alleges as follows:

VENUE

3. Venue for remand and trial is proper in the following federal judicial district: United States District Court Central District of Illinois.

IDENTIFICATION OF PLAINTIFF(S) AND RELATED INTERESTED PARTIES

4. Name and residence of individual injured by Chantix: Larone Radcliffe, 825 N. 9th Street, Quincy, Illinois 62301.

CASE SPECIFIC FACTS REGARDING CHANTIX USE AND INJURIES

5. Plaintiff began using CHANTIX as prescribed and indicated on or about the following date: May 7, 2009.

6. CHANTIX caused serious injuries and damages including but not limited to the following: anxiety, mood swings, agitation, and suicidal ideation leading to attempted suicide.

ALLEGATIONS, CLAIMS, AND THEORIES OF RECOVERY ADOPTED AND INCORPORATED IN THIS LAWSUIT

7. The Plaintiff hereby adopts and incorporates by reference as if set forth fully herein, all common allegations contained in paragraphs 1 through 87 of the Master Consolidated Complaint on file with the Clerk of the Court for the United States District Court for the Northern District of Alabama in the matter entitled *In Re: Chantix (Varenicline) Products Liability Litigation*, MDL No. 2092.

8. The Plaintiff hereby adopts and incorporates by reference as if set forth fully herein, the following damages and causes of action of the Master Consolidated Complaint on file with the Clerk of the Court for the United States District Court for the Northern District of Alabama in the matter entitled *In Re: Chantix (Varenicline) Products Liability Litigation*, MDL No. 2092:

- ☒ COUNT I (NEGLIGENCE);
- ☒ COUNT II (NEGLIGENCE PER SE);
- ☒ COUNT III (STRICT PRODUCTS LIABILITY – DESIGN DEFECT);
- ☒ COUNT IV (STRICT PRODUCTS LIABILITY – FAILURE TO WARN);
- ☒ COUNT V (BREACH OF EXPRESS WARRANTY);
- ☒ COUNT VI (BREACH OF IMPLIED WARRANTY);
- ☒ COUNT VII (FRAUDULENT MISREPRESENTATION AND CONCEALMENT);
- ☒ COUNT VIII (NEGLIGENT MISREPRESENTATION AND CONCEALMENT);
- ☒ COUNT IX (GROSS NEGLIGENCE);
- ☒ COUNT X (UNJUST ENRICHMENT);
- ☒ COUNT XI (PUNITIVE DAMAGES);
- ☒ COUNT XII (VIOLATIONS OF STATE CONSUMER FRAUD AND DECEPTIVE TRADE PRACTICES ACTS);
- ☐ COUNT XIII (LOSS OF CONSORTIUM);

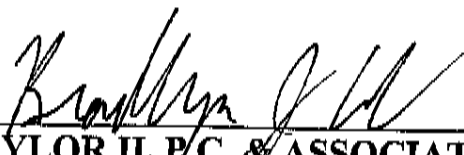
- ☐ COUNT XIV (WRONGFUL DEATH);
- ☐ COUNT XV (SURVIVAL);
- ☒ GLOBAL PRAYER FOR RELIEF;
- ☒ TOLLING OF LIMITATION PERIOD;
- ☐ OTHER STATE LAW CAUSES OF ACTION AS FOLLOWS:
-

JURY DEMAND

Plaintiff(s) hereby demands a trial by jury as to all claims in this action.

Dated this 13th day of July, 2010.

RESPECTFULLY SUBMITTED
ON BEHALF OF THE PLAINTIFF(S),



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